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Government
Publications



SP-6

SP-6

ISSN 1710-9477

Legislative Assembly of Ontario

Second Session, 41st Parliament

Assemblée législative de l'Ontario

Deuxième session, 41^e législature

Official Report of Debates (Hansard)

Tuesday 15 November 2016

Journal des débats (Hansard)

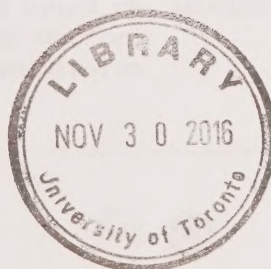
Mardi 15 novembre 2016

Standing Committee on Social Policy

Subcommittee report

Comité permanent de la politique sociale

Rapport du sous-comité



Chair: Peter Tabuns
Clerk: Katch Koch

Président : Peter Tabuns
Greffier : Katch Koch

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Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
SOCIAL POLICYCOMITÉ PERMANENT DE
LA POLITIQUE SOCIALE

Tuesday 15 November 2016

Mardi 15 novembre 2016

The committee met at 1600 in committee room 151.

SUBCOMMITTEE REPORT

The Chair (Mr. Peter Tabuns): Good afternoon, all. The meeting of the Standing Committee on Social Policy comes to order.

Today we're going to consider the report of the subcommittee to set out the framework for considering Bill 7, An Act to amend or repeal various Acts with respect to housing and planning.

Can I have someone move the report of the subcommittee? So it's moved by Mr. Hardeman, is that correct?

Mr. Ernie Hardeman: Yes, Mr. Chair.

The Chair (Mr. Peter Tabuns): Yes, will you read it?

Mr. Ernie Hardeman: Your subcommittee on committee business met on Monday, November 14, 2016, to consider the method of proceeding on Bill 7, An Act to amend or repeal various Acts with respect to housing and planning, and recommends the following:

(1) That the committee meet in Toronto on Tuesday, November 22, Monday, November 28 and Tuesday, November 29, 2016, for the purpose of holding public hearings.

(2) That the Clerk of the Committee post information regarding public hearings on Bill 7 on the Ontario parliamentary channel, the Legislative Assembly's website and on Canada NewsWire.

(3) That the deadline for requests to appear be 12 noon on Friday, November 18, 2016.

(4) That, should the hearings be oversubscribed, the Clerk of the Committee provide a list of all interested presenters to the subcommittee following the deadline for requests.

(5) That each caucus provide their selections of witnesses based on the list of interested presenters received from the Clerk of the Committee by 5 p.m. on Friday, November 18, 2016.

(6) That the Minister of Housing be invited to appear before the committee at the start of the public hearings.

(7) That the minister be offered up to 15 minutes to address the committee and that the caucuses be offered up to 10 minutes each for questioning.

(8) That all other witnesses be offered 10 minutes for presentation and nine minutes (or three minutes per caucus) for questioning by committee members.

(9) That the deadline for written submissions on Bill 7 be 6 p.m. on Tuesday, November 29, 2016.

(10) That the research officer provide the committee with the following:

—background material on “inclusionary zoning”;

—brief summary of testimonies by Monday, December 5, 2016.

(11) That amendments to Bill 7 be filed with the Clerk of the Committee by 12 noon on Thursday, December 1, 2016.

(12) That the committee meet for clause-by-clause consideration of Bill 7 on Monday, December 5 and Tuesday, December 6, 2016.

The Chair (Mr. Peter Tabuns): Thank you, Mr. Hardeman. So you've moved. Any discussion? There being none, are members of the committee ready to vote in favour of this report?

Mr. John Fraser: We'd be happy to call a vote. We're ready to vote, yes.

The Chair (Mr. Peter Tabuns): You're ready to vote? All those in favour? All those opposed? The report fails.

Mr. John Fraser: Mr. Chair, I have a motion I'd like to put before committee.

The Chair (Mr. Peter Tabuns): I'd be very happy to have it, Mr. Fraser. Do you have a copy of your motion that can be circulated?

Mr. John Fraser: Yes, I have. These are the copies that can be circulated. I'll wait for you to circulate them.

The Chair (Mr. Peter Tabuns): Thank you.

The Clerk of the Committee (Mr. Katch Koch): I don't have enough of them photocopied. Should we recess?

The Chair (Mr. Peter Tabuns): Yes. Can we recess for five minutes so that we have a photocopy for everyone?

Mr. John Fraser: Oh, there's not one for everyone?

The Chair (Mr. Peter Tabuns): No.

Mr. John Fraser: Okay, that's fine.

The Chair (Mr. Peter Tabuns): Five-minute recess. It's 4:03 now; see you at 4:08.

The committee recessed from 1603 to 1608.

The Chair (Mr. Peter Tabuns): If we're all here, we can resume. Do you have a motion to make, Mr. Fraser?

Mr. John Fraser: Yes, I do, Mr. Chair. Thank you very much.

I move, with respect to the method of proceeding on Bill 7, An Act to amend or repeal various Acts with respect to housing and planning:

(1) That the committee meet in Toronto on Monday, November 21 and Tuesday, November 22, 2016, for the purpose of holding public hearings.

(2) That the Clerk of the Committee post information regarding public hearings on Bill 7 on the Ontario parliamentary channel, the Legislative Assembly's website and on Canada NewsWire.

(3) That the deadline for requests to appear be 12 noon on Thursday, November 17, 2016.

(4) That, should the hearings be oversubscribed, the Clerk of the Committee provide a list of all interested presenters to the subcommittee following the deadline for requests.

(5) That each caucus provide their selection of witnesses based on the list of interested presenters received from the Clerk of the Committee by 6 p.m. on Thursday, November 17, 2016.

(6) That all witnesses be offered 10 minutes for presentation and nine minutes (or three minutes per caucus) for questioning by committee members.

(7) That the deadline for written submissions on Bill 7 be 5 p.m. on Tuesday, November 22, 2016.

(8) That the research officer provide the committee with the following:

—background material on “inclusionary zoning”;

—brief summary of testimonies by 5 p.m. on Wednesday, November 23, 2016.

(9) That amendments to Bill 7 be filed with the Clerk of the Committee by 12 noon on Thursday, November 24, 2016.

(10) That the committee meet for clause-by-clause consideration of Bill 7 on Monday, November 28 and Tuesday, November 29, 2016.

The Chair (Mr. Peter Tabuns): Thank you, Mr. Fraser. Is there any discussion? Mr. Hatfield.

Mr. Percy Hatfield: I'm surprised, I guess, at number (3), for example. Here we are at 4 o'clock on November 15, and the deadline for requests, according to this motion, will be noon on the 17th. I don't know how long it takes to put this up on the website and so on; I would think it would be some time tomorrow before it gets on the news wire and up on the parliamentary channel. It's up there for a day until noon the following day, so you're talking about a very short timeline here. I don't know that that's fair when we're talking about a bill to deal with affordable housing. A lot of the people that might be in need of affordable housing would perhaps not necessarily catch it on the one day that it's going to be advertised.

I would like to know from Ms. Hull on number (8), second bullet, “brief summary of testimonies by 5 p.m. on Wednesday” the 23rd—whether indeed that would even be possible on her work schedule as well. I just don't see it as fair to the people that this bill will impact the most that we're only giving them basically a day to catch it by accident, perhaps, on the way we're going to advertise it.

The Chair (Mr. Peter Tabuns): Okay, thank you, Mr. Hatfield. You had asked a question of research. Did you want to speak to that?

Ms. Carrie Hull: Thank you for asking. We would do what we can. It would not, in all likelihood, include all the written submissions that could appear. We'll do what we can with the oral testimony.

The Chair (Mr. Peter Tabuns): Mr. Hardeman.

Mr. Ernie Hardeman: Mr. Chairman, I think that question and that answer tells the whole story of the reason why the subcommittee's report changed that part: because there really isn't sufficient time to actually adequately deal—between the notification that we're having these hearings—we have to accept that most people outside of Toronto do not know this is even happening today, much less what happened before. It seems to me that having the time close so quickly and the deadline being there and no time for the staff to even get the information out—I don't know how we can possibly call that “public consultation” when it's almost impossible.

Anybody who doesn't have their ear to the ground and has already applied to come and speak to this wouldn't even know about this, and it would be all over. To me, I think that's why the subcommittee changed the dates and moved two dates further down the line and took that first one out: to make sure that more people had the ability to be here.

Having said that—and obviously, it's the government's wishes. It's quite obvious that it isn't really interested in public consultation; it's interested in the process. “We took it to committee and nobody came forward to speak.” Well, the reason nobody came forward to speak is because nobody knew that there was an opportunity to speak.

Having said that, I'm even more concerned with the part of the motion that takes from the subcommittee's report and leaves it out of this one. It seems fairly consistent. The first issue changes because of the date, which I still disagree with. The second issue is not asking the minister to come and speak to the committee. To me, I think it all starts with when the minister spoke in the House. When he spoke to this bill to start with—and I just want to speak from the Hansard, Mr. Chair:

“I'd like to reiterate that I look forward to this bill moving to the committee stage so that we”—collectively, including the minister—“can have a more fulsome discussion and debate with members of the opposition and the third party and better understand what their concerns are so that we might be able to incorporate some of those appropriate changes into the final legislation.”

It would seem to be that that was quite evident—and I was in the House when he was speaking to that, and I thought, “Boy, there's hope yet. There's some room to talk about we need to do.” But then, all of a sudden, I remembered that I've been through these before. When you make your presentation, they look across very attentively and they're listening to what you're saying, but the last time we did it, I think we had something like 30-some amendments that were nodded to and were appreciated and, “Isn't that great?” That was what you heard from the delegation. We put the amendment for-

ward to address the concern stressed. If the government didn't have a motion that was close to that, they just totally forgot the issue.

They refused to listen to a single motion I put forward. So I said, "Before we get into that again, I'm going to take the minister at his word when he says, 'I'd like to reiterate that I look forward to this bill moving to the committee stage so that we can have a more fulsome discussion.'" So we put that in in the subcommittee so we can invite the minister to come and speak.

I see a smile over there, that somehow this is out of the ordinary, but I just want to point out that in order to have consultation with people, the members of the committee have to have some idea what the stakeholders are referring to and if, in fact, they understand the bill or whether I understand the bill. So far, all we've had was briefing from the ministry staff who, every time you ask about the issue, "What is the intent of doing it this way?" the answer is, "That's not for us to say. All we can do is say what that says. We're just going to say what the thing says, not the intent of what we hope to accomplish with it." When we say, "This is inclusionary zoning; what does that mean?" "Look in the dictionary at what inclusionary means, and that's what it means." That's all the staff can really tell you.

When you talk to the minister, the minister can then add to that and talk about what the intent of inclusionary zoning is and why he is putting it in this bill and what each section means. I think that's not unreasonable for the committee, particularly the members of the opposition, to have that type of information.

So I really can't understand why it would be inappropriate to ask a minister. Now, one might say that that's not normal; that's not what we do in committees. We listen to the debate in the House and then they come here and they listen to delegations and then the government decides what they like about the delegations and makes changes if they feel it's appropriate. If not, they don't make any changes and they send it back to the House. We can discuss it and I can get up there again and say, "This is what I proposed and this is what they didn't do, and this is what I proposed and this is what they didn't do." Nothing that I said will have made any difference, and there's another month of my life I will never get back, because not a single change was made with all that—and in fairness, I'm not suggesting that I'm smarter than the members opposite, but I did do a lot of research on the issues. You put them forward to try to make it a better bill, and what do we get? Nobody is listening.

I'd like to start off on a new foot and ask the minister to be here. Having said that, before the Chair cuts me off and says that's not really speaking to this motion, I'd like to move an amendment to the motion.

The Chair (Mr. Peter Tabuns): And your amendment would be, sir?

Mr. Ernie Hardeman: Well, my amendment—and we may have to get it printed, so we may have to take a break. But my amendment would be—just let me get it straight here now.

I have it here in the original report—

The Chair (Mr. Peter Tabuns): It's points (6) and (7).

Mr. Ernie Hardeman: Sections (6), (7) and (8) and put it at the end of (5) of this one, so put more sections in the report, and add that the Minister of Housing be invited to appear before the committee at the start of the public hearings and that the minister be offered up to 15 minutes.

I have it here moved in—but that's where I suggested it would be put, Mr. Chair, and the motion was just presented to me here. I move:

"(6.1) That the Minister of Housing be invited to appear before the committee at the start of the public hearings.

"(6.2) That the minister be offered up to 15 minutes to address the committee and that the caucuses be offered up to 10 minutes each for questioning."

The Chair (Mr. Peter Tabuns): Do members of the committee need that amendment in writing? No? Everyone understands what was put forward?

I have Mr. Hatfield and Mr. Fraser on my list of speakers, and then I can come back to this.

Mr. Hatfield?

Mr. Percy Hatfield: I will be supporting the amendment, because I would like to hear from the minister. I've only been here for three years, elected in a by-election and a general election. But Premier Wynne was the Premier when I came in, and I remember—I suppose if you check Hansard, I've heard 100 times, at least, about an open and transparent government.

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I know the role of government and the role of opposition. Mr. Dhillon came in yesterday with a suggestion on how to advance this bill through committee. Mr. Hardeman had some other ideas, as did I. We thought we had a reasonable compromise. It wasn't like we were trying to plow a new field. We were talking about a notification period of two and a half days. Now the government comes in and says, "No, one and a half days is plenty." I can't buy into that because this bill is talking about notifying people who are interested in affordable housing. They don't all live in Toronto. Many of them do; maybe most of them do. But there are people across the province who don't necessarily have the connections to Queen's Park that others do and would like to know what's going on and would like to make a presentation on this bill. Perhaps they have to make travel arrangements. But when you cut down the notification period to a day and a half—and I'm not even sure, and maybe, Chair, we could ask the Clerk: What is the earliest that you could actually fulfill the obligation of notification according to this bill? You have to put it on the wire, and you have to make arrangements to get on the channel and so on. How long would that take?

The Chair (Mr. Peter Tabuns): Mr. Hatfield, could we deal with the amendment by Mr. Hardeman first and then go to the other elements?

Mr. Percy Hatfield: Sure.

The Chair (Mr. Peter Tabuns): Because Mr. Hardeman moved an amendment. You've spoken to that amendment. Do you have any comments?

Mr. John Fraser: Well, I do. Yes, I do.

The Chair (Mr. Peter Tabuns): On that amendment?

Mr. John Fraser: On that amendment. We will not be supporting that amendment. There is adequate time for debate in the House and questions in the House to the minister. I fully appreciate that both members—and especially member Hardeman's desire to do that and his efforts. I want to assure you that we do listen, but we can't support and we will not support that motion, and I wanted you to know that.

Mr. Percy Hatfield: Well, if I can have the floor back—

The Chair (Mr. Peter Tabuns): Yes, you can.

Mr. Percy Hatfield: My friend suggested questions in the House. I think tomorrow morning in question period is a perfectly legitimate question to the Premier who said that an open and transparent government is her mandate, and she wants to shut down a two-and-a-half-day notification period to a day and a half? She should stand up in the House tomorrow morning and justify that to the people of Ontario.

The Chair (Mr. Peter Tabuns): Thank you, Mr. Hatfield.

Mr. John Fraser: Mr. Chair, just very quickly: The member is right. That can be the first question in question period tomorrow. I do want to say that from the perspective of notice, we'd be prepared to amend the motion put forward to put another day on that if that is the will of the committee.

The Chair (Mr. Peter Tabuns): Okay. I apologize. I should have held both of you simply to Mr. Hardeman's amendment.

Is there any further debate on Mr. Hardeman's amendment? Mr. Hardeman.

Mr. Ernie Hardeman: Thank you very much, Mr. Chair. I do have a few more pages I would like to reiterate here, if I can keep them straight.

I mentioned earlier reading the comments from the Minister of Housing, when he was speaking to second reading of this bill, that he was happy to see it go to committee so we could discuss and better understand the concerns of the opposition and hopefully make the changes.

I'd just like to point out at the same time that the former Minister of Housing, whom we all know had been doing this for quite a while, introduced this bill first as his bill and said, "Reference to the standing committee is appropriate. I think there is a lot of detailed work here. I think we'll want to hear from some of the various stakeholders in society, because it's only together that this is going to work, and work to the benefit of the people who need the assistance that the good minister and his great staff ... are working hard at trying to deliver."

I think that's again saying that we need to work together and we need to understand what it is we're trying to do, because if we don't understand what we're

trying to do, how can we collectively, as a committee, try and accomplish what the minister wants done?

I know—I have great faith in the good folks on the other side of the table—that they will take our message to him and say, "Well, Minister, do you think we should change this," or, "Do you think we should that because that's what the opposition says they would like to see?" In my past experience, if it had been any different than it was on the last bill—and Mr. Chair, I believe you were there for part of that one. If things were any different, if it had been handled differently then, I may have had a different opinion of it today, but I really have trouble understanding when they say that the government is listening, because the government is not, so far. In all the time they have had to bring presentations forward to this committee, the government has not been listening.

I know we can say, "Yes, well, obviously we can't always do what the opposition wants because we're the government. Obviously we have the right ideas and they don't." That may be possible, but at least you could sometimes say, "We could accept that if it was only that much different." But we never hear that. We just see the parliamentary assistant sitting over there saying, "Yes, yes, I can see that. Before you go any further, I'm going to tell you we're going to vote against that motion anyway."

It becomes disheartening, but I never give up. Every time when I start one of these things, I come ready to debate, if we could, and I thought for sure that the government was going to approve the subcommittee report when there was no debate on it. But I did come prepared because I thought they might not support the total report. I think really I want to talk about the amendment, Mr. Chair. I want to talk about the precedent—

The Chair (Mr. Peter Tabuns): Yes, that's what you have to focus on.

Mr. Ernie Hardeman: I clearly want to do that, and that's why I did do some research to make sure we understood it. I want to talk about ministers that have, in the past, been coming to the social policy committee to speak to bills. The first one I have here is Bill 43, An Act to protect existing and future sources of drinking water and to make complementary amendments to other Acts.

Mr. Percy Hatfield: A point of order, Chair.

The Chair (Mr. Peter Tabuns): Point of order.

Mr. Percy Hatfield: A point of order, if I could. I can't wait to hear this, but I'm having trouble now remembering exactly what the amendment was. I wonder if we could get that in writing so I could read that. Then we'll get into this.

The Chair (Mr. Peter Tabuns): Yes. We can have it printed out for everyone. A five-minute recess, members of the committee? Agreed. The committee is recessed for five minutes.

The committee recessed from 1626 to 1639.

The Chair (Mr. Peter Tabuns): Okay. The meeting of the social policy committee resumes.

Mr. Hardeman.

Mr. Ernie Hardeman: Thank you very much, Mr. Chair. Now that we all have the motion before us—I

didn't realize that they would be numbered (6.1) and (6.2). I thought we would just move the numbers down and have more recommendations.

The purpose, of course, of this amendment is because there are things that the minister can tell the committee that other people are not going to. We're going to have a lot of presenters who are going to come and talk about this bill and talk about what they see as their challenges in their sector of our economy. I think that they, at some point, should have the ability to hear from the people who are putting forward this legislation what the answers to their questions are, as opposed to just the committee hearing them.

It seems to me—and I'll just use an example, Mr. Chair. Inclusionary zoning would apply to condo buildings. How do you make condo units in a condo affordable for some, at the expense of the others? After you've got that figured out, how do you deal with condo fees? You sell these condos lower; how do you then deal with the condo fees? Do they forever get condo fees at a lower rate? I think that the people who are in the condo business, as we're looking at this legislation, would like an answer to that, but asking the ministry people when I had the briefing, that answer was not available. So, it seems to me, on behalf of the people who are going to present to this committee, that we should have that information that we could get from the minister as he makes his presentation, and a question like that could be asked.

How do you expect municipalities who don't have even a property standards bylaw, much less a property standards officer—how are they supposed to tally how many homeless people they have in their jurisdictions and what shape their rental units are in? If they have as much as one rental unit, according to what I've been told by some of my constituents, they have to have that. I'm sure that some of the members on the other side—I look over; not many—would come from small communities, as I come from, and it's quite prevalent that people don't have bylaw enforcement officers and so forth. Presently, the ministry is doing all of that. This bill changes that.

Again, I'm not here at this time to debate the bill; I'm just using that as an example as to why we need the minister here to answer those kinds of questions. These questions that I have here—and I just have three of them—were the types of questions that I want to be able to ask the minister as to how I would answer my constituents or the people that come before us in my questioning. How are we going to deal with those? Is it going to be exempt because of the challenges? Are we going to exempt condo buildings, or are we going to say, "Okay, if you're small enough as a municipality, unless you have at least three high-rises, you don't have to have a count of the homeless people"? I don't know. I just say that those are the questions, as the ministry and the minister were preparing this bill, I would hope that they have looked at the impact of the bill and how you would answer those questions. That's why I think it's so important that we have it.

We're going back to condos for a minute. If you have a condo that's cheaper because it's one of the units that's made affordable in the condo building, when the person moves in, how do you prevent them from selling it to the open market or renting it on the open market? I don't know, and I'm not sure anyone on the other side knows either.

Again, going back to who should answer that question—is it the person, the industry or the ministry that put this bill forward as to how you're going to deal with those things? Before you set the rules in place, you should look at what problems you're trying to solve. Will this actually solve them? I think that is this committee's responsibility, as we hear from the delegations, as to how we can address their concerns or how we can take those concerns forward and have the bill address them to make it the best possible legislation that we could have.

Those are just some of the questions that I have for the minister, and it really would have been handier if, on the subcommittee, we could have just invited him. Instead of me sitting here talking for the rest of the afternoon, we could have had the minister here and we could have had him giving us those answers, and we'd be ready to go next week with the hearings.

I think we're spending more time talking about why we don't want him here than it would take to have him here and ask him some of those questions. They're not negative questions. I'm sure he has the answers to these questions because he prepared this bill. He wouldn't put this bill forward if he didn't know what the impact was going to be, I'm sure.

Mr. Percy Hatfield: You wouldn't think so.

Mr. Ernie Hardeman: No. Minister Ballard is an intelligent minister. He would know that there's an impact to everything he does, and he would know what these impacts are. I'm not quite there, so I don't know, and I really wish I could ask him. That's why I want him here.

I want to go back directly to the motion. I'm going to be, for a short period of time—and I appreciate that my colleague Mr. Harris is here to help me this afternoon. I want to set some precedent. Obviously, for quite a number of years, we haven't had the minister appearing before the committee—any committee. The government seems to be reluctant to have their people that are in charge answer questions. I don't know why. It seems to me that they don't get to come in to answer, first of all, what's in the legislation, and second, what problem it is addressing and, third, will it actually solve the problem?

Obviously, the committee members are not necessarily in the position to know the answers, or even the questions—I have to dig even for the questions—so they don't have the answers. But I'm sure Minister Ballard has those answers, and I'm sure he's somewhere right now, saying, "Why are the government members still trying to prohibit me from coming to speak to the committee?" I'm sure he wants to be here to talk to us, because he knows these answers and none of us do. This is kind of silly, isn't it, that we have to sit here and convince the government side to give in?

Mr. Chairman, you may not agree with me, but I think that if it wasn't for the fact that it was an opposition member saying this—if it was one of their own saying it to them—they would have already changed the thing and agreed to this motion and invited the minister, and the minister would have answered the questions, and before the clock strikes 5, it would have been all done. But that's not going to be, because it's an opposition member requesting it. This government doesn't want to do what the opposition has to suggest, because somehow, they believe that that would be a negative.

In the time I've been here, I can't remember once that they've accepted—no, I shouldn't say that. The Minister of Agriculture, back in 2005, I think, accepted an amendment to a bill, but that would be about the extent of it.

Mr. Percy Hatfield: Was that you?

Mr. Michael Harris: No, 2005.

Interjections.

The Chair (Mr. Peter Tabuns): Order.

Mr. Ernie Hardeman: No, no. That was when this government was new. But in the last number of years, they have not travelled with bills; they have not allowed or accepted a recommendation that the minister come and speak to the bill. They just have the formality, and then they put forward a subcommittee motion that, in fact, limits the time you have for preparing, so even the people outside will not be able to get in with a prepared presentation because they weren't notified. They will have less time to prepare a presentation to this committee than I had to prepare this presentation I'm making this afternoon. That, to me, is wrong. It seems to me that these people are coming in here to talk to this, and they should have had more time for that.

But I digress. That's not what I'm talking about. I'm talking about the amendment—

The Chair (Mr. Peter Tabuns): Yes.

Mr. Ernie Hardeman: Thank you very much, Mr. Chair.

The Chair (Mr. Peter Tabuns): I'm keeping notes, Mr. Hardeman.

Mr. Ernie Hardeman: Well, thank you. I'm going to go back to the precedent again, that this government hasn't been very open and transparent about committee hearings and what goes on in committee hearings in the past number of years.

It hasn't always been so. In 2006, on August 21, for Bill 43, An Act to protect existing and future sources of drinking water and to make complementary and other amendments to other Acts, Laurel Broten, Minister of the Environment, appeared before the social policy committee.

The subcommittee report read, "(10) That the Minister of the Environment be invited to appear before the committee at 9 a.m. on Monday, August 21, 2006, to make a presentation of up to 15 minutes and field questions from each caucus for up to five minutes each."

Note: The subcommittee report was moved by—want to take any guesses?

Mr. Arthur Potts: Our side of the equation.

Mr. Ernie Hardeman: Kathleen Wynne. That's when she thought that public consultation and the committee work that we do was important. That's why she really believed—and that was a government minister being asked by a government member's motion to make a presentation. This time, everything is exactly the same except that the request is coming from the opposition, and all of a sudden, they go, "Oh, no, no. Don't do that, because that would be transparent, and we wouldn't want that to happen."

That's why that was the first one we're talking about. Obviously, it was Kathleen who did it.

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Bill 78, An Act to amend the Education Act, the Ontario College of Teachers Act, 1996 and certain other statutes relating to education: Sandra Pupatello, Minister of Education, appeared before the social policy committee on May 8, 2006. In her remarks, she said, "I'm pleased to be here today to speak about some very important legislation for the direction of education in Ontario."

That's what I said. I think the minister, Mr. Ballard, would gladly come here and make a presentation, because he believes that this piece of legislation is important to housing, just as Minister Pupatello believed her bill was to education.

Back at (7): "That the Minister of Education be offered up to 10 minutes for a presentation, followed by 10 minutes of questions and comments by each caucus." Note the subcommittee report was moved by—you guessed it—Kathleen Wynne, Premier of the province of Ontario today. At that time, the subcommittee that she chaired believed that having the minister come in to speak to an important piece of legislation that she was introducing—it made sense for her to come and talk to the committee. I don't know why she has decided that this committee isn't capable of handling the minister coming in here and talking to us. It just doesn't make any sense to me.

Bill 81, An Act to provide standards with respect to the management of materials containing nutrients used on lands, to provide for the making of regulations with respect to farm animals and lands to which nutrients are applied, and to make related amendments to other Acts: The subcommittee report read, "That the Minister of Agriculture, Food and Rural Affairs be offered 30 minutes in which to make a presentation. Following the minister's presentation, each party will be offered five minutes to make statements and ask questions."

Incidentally, Brian Coburn, Minister of Agriculture, Food and Rural Affairs, appeared before the committee on September 5, 2001. Now we're one year back further, or two years or three years, but that was when it was a different government. They also believed in transparency and openness. In fact, we did more in one year in office—we had more public travelling and more public presentations than we have presently in a whole term. I can't say that for sure, but I know we used to spend a lot of time on the road, travelling with committee. It was

suggested at subcommittee that we should have some travelling in this report, but that was doused fairly quickly by the government member; that wasn't going to happen. But at that one there, Minister Coburn decided that it was very important to come and talk to the committee and talk about what was in the legislation.

The nutrient management legislation, though it was quite contentious in rural Ontario, is not a large, complicated document. Those from the agricultural community realized it was rather a simple process. You take it from here and you put it there, making sure we keep the proper records and so forth. But it was still very important that the committee, before they did the hearings and talked to everybody who came in to talk about—it was still very important. The minister felt it very important that the committee knew what he was trying to do and why he was trying to do it. Again, I go back to I don't know why the government doesn't feel that this piece of legislation is important enough to inform the committee as to what it stands for.

Bill 138. It's An Act to promote road safety by increasing periods of suspension for Criminal Code convictions, impounding vehicles of suspended drivers, requiring treatment for impaired drivers, raising fines for driving while suspended—

Mr. Michael Harris: Good bill.

Mr. Ernie Hardeman: Oh, it was a good one, yes—impounding critically defective commercial vehicles, creating an absolute liability offence for wheel separations, raising fines for passing stopped school buses, streamlining accident reporting requirements and amending other road safety programs.

The subcommittee report read, “(1) That the minister and ministry staff be invited to appear before the committee for 30 minutes on Tuesday, June 17, 1997. Of that 30 minutes, 15 minutes would be set aside for the minister's presentation followed by a seven-and-a-half-minute response/question period by each of the two opposition parties.”

On that one, it wasn't evenly split. The questions were given to the opposition parties, because obviously the minister had already briefed the caucus members. So it was felt to be very important—the information he had and the questions that the opposition parties may have had, who had not been involved in the process of preparing this. This was, of course, a much more complicated piece of legislation. The opposition members would not have been as informed about it, so they set it up so that, in fact, all the questions would be to answer to the opposition's concerns. Here, we have the opposition asking for and the government refusing to allow the minister to come make a presentation.

This was on June 17. The Minister of Transportation, Al Palladini, appeared before the committee on social development. At that time, instead of social policy, it was called social development. We had different names for committees then. But the truth was, that government set the standard by having the minister appear so that he could explain to committee why the bill was being intro-

duced, what was in the bill and whether it would actually solve the problems that were being put forward.

The next one: We had Bill 104, the Fewer School Boards Act, 1997. The subcommittee report read, “(1) That the minister and ministry staff be invited to appear before the committee for 30 minutes at the outset of public hearings on Bill 104. Of that 30 minutes, 10 minutes would be set aside for the minister's presentation, followed by a 10-minute response/question period by each of the two opposition parties.”

Again, I'll point out, the same as I did with the last one: from the two opposition parties. This was strictly to help inform the opposition parties. I'm sure we all realize that if the Conservative Party was in government, the opposition parties were the Liberals and the NDP. The minister was brought in to make sure that they could ask all the questions they needed to ask in order to facilitate an appropriate and informative consultation and to help the committee come up with getting the answers to the people who made their presentation.

I've still got another minute or two?

The Chair (Mr. Peter Tabuns): You have a minute. I've been tracking—then Mr. Hatfield, then Mr. Fraser, then Mr. Harris.

Mr. Ernie Hardeman: Okay. Bill 155, the Remedies for Organized Crime and Other Unlawful Activities Act, 2000: David Young, Attorney General and minister responsible for native affairs, appeared before the committee on February 20, 2001. Again, that wasn't necessarily at anyone's request. I don't know, from the records, whether it was the opposition that asked for it, but I know the minister appeared on an issue for native affairs. He appeared before the committee, again, because the committee invited him to come and make a presentation so they would understand the bill better and they could then carry on and ask more appropriate questions and address the concerns of the people who put it forward.

Bill 34, An Act to amend the Education Act: John Snobelen, Minister of Education and Training, appeared before the committee on May 6, 1996.

The Chair (Mr. Peter Tabuns): Mr. Hardeman, I'm afraid you're out of time.

Mr. Ernie Hardeman: I was just getting wound up here.

The Chair (Mr. Peter Tabuns): I have a sense that that was exactly the case, and I appreciate it, Mr. Hardeman.

I have Mr. Hatfield, then I'll have Mr. Fraser, and then Mr. Harris.

Mr. Percy Hatfield: You learn from your elders, I guess, and Mr. Hardeman has certainly been around here for a long time. Knowing that ministers used to come here for 30 minutes, let alone 15 minutes, is quite educational. I don't see the reluctance now.

Why I would like to talk to the minister: I'll just mention two points, I suppose. I know the member from Glengarry—Prescott—Russell—I don't know, what? Seventeen years in municipal politics or something? Mayor?

Mr. Grant Crack: Eleven.

Mr. Percy Hatfield: Eleven years—and you must have dealt, at some point in your career, with cash-in-lieu, for example, of development coming in. Developers couldn't provide something, so they would provide cash-in-lieu.

Under section 35, I would like to ask the minister why—because of inclusionary zoning, and it being such a big deal as it is Toronto—is it an either/or situation? The developers are saying you can't have it both ways, so they've convinced the shapers of the bill, those who shape the bill, that you can either go for inclusionary zoning or you can go for cash-in-lieu but you can't do both. I'd like to understand that a little bit more, which would then lead to better questions perhaps—more of a solid background before asking questions to the developers or the proponents of inclusionary zoning, just as an example.

1700

It's the same with co-operative housing. I'd like to find out what intents in the regulations we could see to improve the co-operative housing availability in Ontario. I know that in certain areas, co-op housing may have a higher cachet than subsidized housing, for example, but if you're going to provide inclusionary zoning, zoning of less than market value, then perhaps the co-op movement is one way to appease some developers who may not necessarily want to just subsidize housing units. I'd like to have asked the minister questions along those lines.

I guess I'm a bit reluctant because I know the new minister is very energetic—he has been travelling the world in his new portfolio, attending conferences, gathering more background information on housing, giving Ontario's examples and learning from others. I just thought maybe we could tap into some of that recent knowledge of the minister and find out more about how this bill was shaped. Perhaps at this point, after he has travelled the world, he might have some new ideas on some of the things in the bill and might like to let us know about them and perhaps improve the bill in that way.

I think all proposed legislation can be improved if you listen to not necessarily just the voices of the opposition members but the voices from the delegates who appear and give their opinions on things. Having the minister here would have accomplished, in my opinion, quite a lot. As Mr. Hardeman said off the top, it gives us an opportunity to ask him a few things within a relatively short time frame, because I think Mr. Hardeman had suggested only 15 minutes or so—was it?—

Mr. Ernie Hardeman: I don't know.

Mr. Percy Hatfield: —to talk to the minister, just so that he would tell us whence he was coming on that.

These are just two examples of how I believe we could have had a more open, transparent approach to this legislation. To the members of the committee who weren't here with Mr. Dhillon at the subcommittee level, we had suggested that the bill be travelled, for example. We didn't get into the places, but you have people who are in need of affordable housing right across the prov-

ince, be it in the Far North, the east, the west or, in my case, the southwest. If you're talking to somebody in need of affordable housing in Thunder Bay or Sault Ste. Marie—

The Chair (Mr. Peter Tabuns): Mr. Hatfield, I'm going to have to direct you back to the amendment.

Mr. Percy Hatfield: And the amendment was on the minister coming.

The Chair (Mr. Peter Tabuns): Yes.

Mr. Percy Hatfield: And I would have asked the minister, had he chosen to appear, "Why not travel the bill? Why not ask the voices from the people who could least afford to get here from the furthest reaches of the province? Why not take the committee to them and get their first-hand information?"

I don't want to put anybody down in any way, shape or fashion, but if you're in need of affordable housing and you live in the Far North, the last thing, I'm sure, that you want to spend your money on is a trip to Toronto to appear before a committee for 10 minutes—let alone if you're only being given a day's notice that there is a committee hearing on this and you would have loved to have made a presentation. The last thing you could really afford to spend your money on is a trip all the way down here.

I think the minister would have given us good answers on that, and perhaps when it was brought to his attention, he would have said, "You know what? Maybe this bill should be travelled. Maybe we should go to Thunder Bay or Kingston or Windsor or Ottawa, just to hear from other voices other than the"—what do you call them?—"usual suspects." Chair, I don't mean that in any derogatory fashion, but we know already who is interested in appearing, and they're the big developers, the people who rent the apartments and so on, and the tenants' rights people—and they should be here, but people in the north and other parts of the province have a different view. I'm sure they would have liked to have heard the minister as well when it comes to his decision on whether this bill should be travelled or not.

The minister is the guy in charge. The minister is the person who presented the bill, and the minister, when the bill gets passed, will take full credit for bringing forward this legislation. If he's going to take full credit for it, he should at least explain to the people who have questions of him how it got to this shape and form, and we're not going to get that necessarily if the minister doesn't appear before the committee.

I think that the amendment, especially after hearing the background from Mr. Hardeman, the member from Oxford, who has certainly been around here a long time and has vast municipal experience as well and could have asked those questions on cash-in-lieu on section 35 as it is in Toronto.

I know that when I was on city council only for seven years in Windsor, cash-in-lieu was always a big issue. I was reading not that long ago that, in Toronto, they've collected tens of millions of dollars of cash-in-lieu to provide parks, but they still haven't provided them in

downtown Toronto because the cost of the land is so darned expensive. They might have \$30 million, \$40 million or \$50 million in the reserve fund, but they can't afford the acreage to provide a sample park. To ask the minister what he can do about that to help out municipalities such as Toronto would have been very informative. Does the minister have a plan to address those types of situations in the future? That's why I would have thought the minister would have been glad to have been here.

Again, going back to that open and transparent government, it's easy to say, "Well, if you have nothing to hide, why don't you come out in the open? What is 15 minutes or 30 minutes of your time in the greater scheme of things? What are your priorities?"

Interjection.

Mr. Percy Hatfield: A quorum call? Oh, my gosh. Not for this committee, of course.

The Chair (Mr. Peter Tabuns): The committee is suspended.

The committee suspended proceedings from 1708 to 1709.

The Chair (Mr. Peter Tabuns): The committee resumes.

Mr. Hatfield, the floor is yours.

Mr. Percy Hatfield: I'd better start at the beginning, Speaker—

Interjections.

Mr. Percy Hatfield: I forget where I was. I'd better start over.

The Chair (Mr. Peter Tabuns): I can tell you exactly where you were.

Mr. Percy Hatfield: Where was I, Chair?

The Chair (Mr. Peter Tabuns): You were talking about openness and transparency.

Mr. Percy Hatfield: Yes. What we've heard so often from the Wynne Liberal government is that they are so open and transparent, and yet when you ask for a few minutes of the minister's time to appear before a committee to talk about an important bill that has been years in the making—I'm sure our member, Ms. DiNovo from Parkdale-High Park, who has presented at least five private members' bills on inclusionary zoning, as I'm sure you have, and Mr. Marchese, the former member from Trinity-Spadina, and others, and perhaps the former member from Beaches-East York as well, would have liked to have heard from the minister his views on inclusionary zoning, why it has taken this long and what is the best approach to inclusionary zoning, and looking at, as I'm sure we're going to see from Ms. Hull when she does her research and provides the inclusionary zoning background paper to us, the fine examples in other parts of the world where inclusionary zoning has worked and perhaps where it hasn't worked, but we have to learn from that.

The minister, at some point—I'm sure, at a briefing—would have been given that kind of information by his staff members, and that's why, to some extent, it's appearing in the bill—not to the extent, obviously, that some of us would have liked to have seen. But we would

have liked to have asked the minister about that, and why the minister's advisers had suggested to put it in this way as opposed to that way, for example.

I think this amendment is worthwhile, and I'm glad the government members are listening intently and giving it some thought, because perhaps we can change a mind or two over there—and perhaps not; I appreciate that.

The arguments that have been put forth are all very valid arguments. When you hear from someone of the stature of Mr. Hardeman, who has served in cabinet, has been around a long time, has the background and the experience, and has suggested that we've done it in the past—why wouldn't we have a minister here to answer some of these questions? We could have been done by now with the minister and moving on into delegations. Instead, we're trying to convince you, through verbal argument, that it would have been a good case, that it would have been good to know.

Anyway, Chair, I will cede the floor at this point. I know there are other speakers who want to take over for a while. If something else comes to mind, I'll put my hand up again.

The Chair (Mr. Peter Tabuns): Thank you very much, Mr. Hatfield.

Mr. Fraser.

Mr. John Fraser: I'd like to call the vote, Mr. Chair.

The Chair (Mr. Peter Tabuns): I'm just going to consult with the Clerk for a second.

Interjection.

The Chair (Mr. Peter Tabuns): Mr. Fraser, having consulted with the Clerk on this, since we have others who want to speak, I won't actually call the vote.

Mr. John Fraser: Mr. Chair, with your indulgence—

The Chair (Mr. Peter Tabuns): You may speak. You have the floor, sir.

Mr. John Fraser: Okay. I understand that you have one more speaker. I would like to suggest that after that speaker, we call the vote.

The Chair (Mr. Peter Tabuns): I will consult with the Clerk on that while the speaker is speaking. I believe he has the floor—

Mr. Michael Harris: I know my colleague has been chomping at the bit, so I'll go after.

The Chair (Mr. Peter Tabuns): No, Mr. Harris, you have the floor.

Mr. Michael Harris: Okay. I know that my colleague from Oxford had a few things on his mind, following the recent discussion.

Percy, you're from Windsor West?

Mr. Percy Hatfield: Windsor-Tecumseh.

Mr. Michael Harris: Windsor-Tecumseh. The member for Windsor-Tecumseh probably brought forward a couple of ideas that the member for Oxford wanted to address.

I've been here since 2011, and I will tell you that the opportunities that members get on second reading debate have drastically been reduced—the time, that is, to have debate, to pose questions to legislation. Of course, we're debating this important amendment by encouraging the

Minister of Housing to be invited to appear before the committee. I think that is now ever more important, with the reduced time that members from, frankly, all three political parties have to actually debate important government legislation.

I was just up and prepared to speak to Bill 41, the Patients First Act, for my first 10-minute rotation, and of course, a motion was brought forward to collapse debate. I represent over 100,000 people in my constituency. I had a lot of community members share with me their concerns that I wanted to relay to the government. I was shut down; I was prevented from having an opportunity to speak on their behalf. Of course, they can't come during second reading debate and exercise those comments. I, therefore, am their representative to do so.

We look at Bill 7 here, and the fact that, because of reduced debate time on second and even third reading, it is even more important that the minister come to committee. We're talking about 15 minutes.

I also sit on the estimates committee. We have ministers come—and their staff—for seven and a half and upwards to 15 hours—15 hours. And we're not even talking about specific legislation; we're simply providing members of all three political parties an opportunity to ask them about their estimates.

Again, we go back to this amendment that my colleague from Oxford has put forward—a very logical, realistic amendment—that calls on the government to send its minister to this committee to speak to the bill but also allows an opportunity for members to ask questions.

Again, I go back to the limited debate in second reading for a lot of these bills. I guess I should ask: Would the Clerk be able to tell me, or someone from research, how many hours of debate Bill 7 had on second reading? I don't know if I can pose that question to them, and perhaps they can get back to the committee on that.

Mr. Ernie Hardeman: I'm sure the members of the government side would know.

The Chair (Mr. Peter Tabuns): Mr. Harris, please continue.

Mr. Michael Harris: It's an important element to, again, encouraging the government. I was here when Dalton McGuinty, the former Premier, left the Legislature, prorogued the Legislature. We came back. Of course, the Liberals elected a new leader, which was of course the Premier, Premier Wynne.

I sat as a member, optimistic about perhaps a new direction for Ontario—even for a moment I was caught perhaps in the jubilation of the new message of the day in terms of being more open and transparent. I found myself perhaps even clapping at times, because I sat through, unfortunately, a time where the government of the day wasn't open and transparent with its citizens. I think of the gas plants, the naming of different fruits to keep important information to the gas plants secret from Ontarians and even the opposition members. I was, again, optimistic that the new Premier, Kathleen Wynne, who talked a lot about open and transparent—she said it'll be a new government, a new way of doing business.

Clearly, my colleague brought forward examples of even the now Premier and former MPP bringing forward and moving motions that would allow for ministers of the crown like Laurel Broten—she was the Minister of the Environment back in 2006, who brought forward a piece of legislation, the Clean Water Act. It was simple. It called for her to appear before the committee to make a presentation of upwards to 15 minutes and to field questions from each caucus for up to five minutes each. Of course, that was a motion moved by Kathleen Wynne.

My colleague mentioned Bill 104, the Fewer School Boards Act, in 1997—of course, a different government at the time. That minister, John Snobelen, came to committee for 30 minutes. So he did, and including the 30-minute presentations, because we all know—and I will say to you as well, during committee I think we've also seen with government bills the increase in amendments that the government brings forward into committee, because they seem to rush these bills forward. Today, I know there was a bill tabled; I'm looking forward to reading it. It's called the putting students safe act forward. I thought maybe it had been called the photo radar act, but I'm looking forward to reading it.

But again, I think of Bill 31 that was brought forward—I'm trying to think of a recent bill. We called Bill 2. Bill 2 was another great example of the government basically making amendments up on the fly, changing legislation as they go, saying, "Oh, we'll make an announcement. We'll table an amendment."

The Chair (Mr. Peter Tabuns): Mr. Harris?

Mr. Michael Harris: That's all the more reason why it's important for the minister to come to committee—

The Chair (Mr. Peter Tabuns): Thank you, Mr. Harris.

Mr. Michael Harris: No, no, I was getting to my point. But again, these arguments give good reason for the minister to come back to committee by simply tabling it. We can ask research perhaps to mark this down as well. You take the last five or six government bills, and I'm curious to know how many government amendments on average they have moved in second reading, which again shows to Ontarians perhaps a lack of thoroughness that they went through on the first draft.

The Chair (Mr. Peter Tabuns): Do you want to clarify—are you asking a research question?

Mr. Michael Harris: No—well, yes, sure. Yes. I'll do it at the end.

The Chair (Mr. Peter Tabuns): So I would appreciate if you'd actually speak to the amendment.

Mr. Michael Harris: Just kind of as I was speaking, I thought maybe it would be something interesting to share with the committee, in addition to the length of debate that we had on Bill 7 for second reading—that would be one. The second one would be: On average, over the last 10 government bills, how many government amendments had been brought forward after second reading?

1720

Those are valid arguments as to the need for the minister to come into the committee, address any changes,

bring valid arguments as to why those amendments were brought forward, and allow for discussion by committee members and questions to the minister pertaining to, perhaps, those amendments or even back to the legislation itself based on first reading. Allow members to ask questions and provide clarity to, again, give Ontarians comfort that this is a well-thought-out and well-crafted bill that they can live with.

Again, I go back to the Fewer School Boards Act. I think that's still relevant today. For 30 minutes, he came in at the time—Minister John Snobelen. Ten minutes were set aside for the minister's presentation, followed by a 10-minute response and question period by each of the two opposition parties. I think that's fair to ask.

My colleague talked about another important bill: Bill 138, An Act to promote road safety by increasing periods of suspension for Criminal Code convictions, impounding vehicles of suspended drivers, requiring treatment for impaired drivers, raising fines for driving while suspended, impounding critically defective commercial vehicles, creating an absolute liability offence for wheel separations—something that's still important today—raising fines for passing stopped school buses, streamlining accident reporting requirements and amending other road safety programs.

For this particular bill, all the more reason. We're only asking for 15 minutes here for the minister to come to committee—only 15 minutes to address the committee, with 10 minutes each for questioning.

In this case, on Bill 138, in 1997, 30 minutes were allocated: 15 minutes were set aside for the minister's presentation, followed by a seven-and-a-half-minute response and question period by each of the two opposition parties.

Of course, my colleague mentioned that the government was well briefed on the bill and very supportive of the bill. It provided clarity. But they get that opportunity, perhaps, whether it be in caucus or elsewhere, to thoroughly ask questions of the minister that the committee members from the opposition may not always have. The time was provided to just the two official opposition parties: those, at the time, being the Liberals and the third party, the New Democrats.

Another example that I think is fair to justify and provide precedent of the need to have the minister here in committee to address the committee, to provide 15 minutes and to provide the caucuses up to 10 minutes each for questioning: You have Bill 8, the Commitment to the Future of Medicare Act, 2004. It was a relatively new bill and a new government in 2004, off to a new start and obviously likely recommitting to the whole openness and transparency aspect that we heard probably in 2003. It somewhat disappeared later on in former Premier McGuinty's term, but then was brought back out soon after Premier Wynne was elected by Liberal Party members as Premier. But then it soon went by the wayside.

Back in 2004, George Smitherman, during the committee, said, "It's a privilege for me to be here to address this committee on the first day of public hearings on Bill

8, the Commitment to the Future of Medicare Act. This is a piece of legislation which is very important to the government and to me, and I want to make sure that we get it right."

I'll agree with George Smitherman—probably one of the only times I will, in fact, because unfortunately he didn't always get it right. But perhaps in this instance, you know what? He came to committee, like in the motion that we're putting forward today asking for Mr. Ballard, a municipal politician from the Newmarket area and a good guy as well. I'm sure he would see it as a privilege, just like his former colleague George Smitherman did, because he too wants to get it right.

On that day, the subcommittee report read that on February 16, 2004, the minister would be invited to make a 30-minute presentation—that's double what we're asking the minister to do here—followed by 90 minutes of questions and answers to the minister or his parliamentary assistant and ministry staff. Here we're asking for 10 minutes each—back in 2004, with a new government and a new way of doing things, 90 minutes of questions and answers to the minister and/or his parliamentary assistant or, of course, ministry staff. The time per party was Liberals, 35 minutes; Conservatives, 35 minutes; and the NDP, 20 minutes. I guess that was based on—I don't know what reason.

I know that my colleague will perhaps want to reiterate this particular subcommittee report, but I want you to take one guess who moved that—just one guess. Well, I'll continue to talk, but it was actually Kathleen Wynne, the Kathleen Wynne of 2004. The Kathleen Wynne of 2016 obviously provided correspondence through the staff here today to instruct you folks to resist our call to allow the minister to come. Back in 2004, the then-minister, George Smitherman, said that it was a privilege and an honour to come to committee because, do you know what? He wanted to get it right.

Bill 7—I'm not sure if the government just simply wants to push legislation like this through, or do they actually want to get it right? These are valid questions, and that's why we are using these precedents to establish, I think, the facts and valid arguments to get the government members, on behalf of Ontarians, to accept our amendment: to ask the Minister of Housing to be invited to appear before the committee at the start of the public hearings.

Of course, there will be folks who will come in from across the province to witness these public hearings—very important hearings. This is actually a first-time minister representing a new portfolio; likely, a lot of new stakeholders will have the opportunity to come in to speak or address this committee on this particular bill, Bill 7, and they'll be able to hear the minister speak to the importance of this bill. We're actually giving him a forum in front of valuable participants and stakeholders from around the province to tout his legislation. As George Smitherman said back in 2004, it was a privilege for him, because he wanted to get it right.

Mr. Arthur Potts: Chair, a point of order.

The Chair (Mr. Peter Tabuns): Yes?

Mr. Arthur Potts: I believe that at this point the member is becoming excessively repetitive. Maybe it is time to put the question. I know you ruled earlier that we wanted to give him a chance to speak, but excessive repetition, I think, is contrary to the rules of procedure, so maybe we should put the question.

The Chair (Mr. Peter Tabuns): I actually have been taking notes as he has been going along, and unfortunately there's not a lot of repetition. He is using different examples. So, based on my notes—

Mr. Arthur Potts: I appreciate your judicious ruling.

The Chair (Mr. Peter Tabuns): Thank you.

Mr. Michael Harris: Do you know what? We've got a bunch here, and we've just gotten started, frankly, because there are a lot of good precedents here and a lot of good reasons. I'm looking forward to reading Hansard on this; I'm sure you will as well, as we read through those arguments, to ensure that the minister has, as George Smitherman said, that opportunity, that privilege, to come to committee as we debate this amendment.

Fifteen minutes—you look here at 90 minutes of questions and answers, 35/35/20. We're asking for 15 minutes. He could have been here and gone by now. He could have taken more, had he wanted to.

The Chair (Mr. Peter Tabuns): I will say, Mr. Harris, that that part is getting repetitive.

Mr. Michael Harris: All right. Okay.

A new precedent here: It goes back to 2003. Again, it was a brand new government, with Bill 4, the Ontario Energy Board Amendment Act. Of course, that had to do with electricity pricing. Dwight Duncan, Minister of Energy, appeared before the committee on December 9, 2003. Boy, would I ever love to ask him questions today—if we could just rewind and then fast-forward—on electricity, that is.

1730

The subcommittee report read—oh, I'm already disappointing my colleague because I just noticed he moved that one. I'm so sorry. I know that was on his mind earlier, but he can share that with the committee later.

“That the minister be invited to make a 15-minute presentation followed by 45 minutes of questions”—I said to you before, 90; new information here, members—“and answers.” That was going “to be divided equally among the three parties.” In the previous example, it was 90 minutes, but it wasn't divided equally. It was 35, 35 and 20. New information here to the committee. In this particular example back in 2003, they actually divided that time equally by all three parties. The report was moved by Kathleen Wynne.

We keep pulling these examples up, and I just—

The Chair (Mr. Peter Tabuns): Mr. Harris, I'm sorry to say you're out of time. You had 20 minutes.

Mr. Ernie Hardeman: Oh, that's terrible. He was just getting going.

The Chair (Mr. Peter Tabuns): Both of you were just getting going; I understand that.

I have Mr. Hatfield up next, and then I have Mr. Fraser on my list.

Mr. Percy Hatfield: Thank you, Chair. I won't be repetitive, but I will go back a bit and say that I wish the minister was here because I know he is well aware of our co-operative caucus that has three co-chairs: Mr. Hardeman, myself and Minister Lalonde. We deal with co-operative issues on a regular basis. The minister would know, and I'd like to hear from the minister, what he thinks of when we get together as a co-operative caucus to talk about co-operative housing, among other things.

I know that the minister has met with his federal counterparts. They were recently in Toronto. The minister made an announcement at an affordable housing conference. I'd like to know, from the minister, those discussions that he had with his federal counterpart—in fact, he has met with every provincial minister as well since he has been appointed. I'd like to get some of the feedback on that: how they're dealing with such issues as inclusionary zoning, and whether there are any models that we could look at around the country when it comes to inclusionary zoning modelled under the co-operative housing model.

For example, earlier Mr. Hardeman was asking how you would deal with inclusionary zoning in a high-rise, in a condominium. I'd love to know the minister's view on that, if he appeared before the committee, to ask him: Is he aware of any location in Canada where they could designate an entire floor of a condominium complex as a co-operative housing floor? I think that would be a legitimate question. If we don't have examples elsewhere, then perhaps we make a made-in-Ontario solution or a made-in-Toronto solution to come up with a model that would come up with a model that would work in every municipality, dealing with co-operative housing.

If a developer is using the entire block for a complex and we're talking about inclusionary zoning—I would like to have been able to ask the minister if indeed there was a corner of that property that might be used for inclusionary zoning while the other three corners were used for his or her development. Again, it would be tough to get all of these questions to a minister in 15 minutes, but I think the government members on the committee have heard this afternoon how many questions there could have been to the minister.

Interjection.

Mr. Percy Hatfield: Well, yes, if we had more time for the minister to appear, that would be even more fun, I'm sure.

I know it's government and I know it's opposition, but I would hope the government members of the committee would see exactly the importance of this amendment and why it has been made. If we could hear from the minister on some of these points, this would certainly be a welcome use of the entire committee, and in fact, to all 107 members of the provincial Legislature.

Normally, officially, members of the opposition get to grill a minister in question period, but if that minister

doesn't appear at a committee, there really is no formal process or no application whereby you can ask a minister something direct, such as this, on a bill that he has presented. I think that's an important piece of information.

Ministers are responsible—

Interjections.

Mr. Percy Hatfield: I'm sorry. Am I interrupting?

Mr. John Fraser: I am. Sorry. Excuse me, sir.

Mr. Percy Hatfield: Nobody, as you know, likes a bully, and there's zero tolerance to bullying, so when you come to a committee and you ask some simple questions such as, "Can we talk to the minister about the bill"—I won't say the government members are being bullies on this. But when they just shut down debate and say, "No, we can't have this. We can't allow our minister"—heaven forbid—"to appear before a committee and be asked questions by opposition members about a bill that the minister has put forward," that's not the way we have open and transparent government.

We have so many questions, be it on co-operative housing, be it on inclusionary zoning, be it on any number of issues. This bill has been months and months—years. It's been years in the making. It's been years since this bill has been updated in all of its forms.

I just don't understand. I hope by now the government members of the committee have realized how simple it would have been to extend the deadline for a day, to have the minister appear for a short period of time, and we could have moved on. We could have been halfway through, for God's sake. Instead, here we are, just short of having to take a break in a few minutes, and then what happens?

I'm at the Chair's disposal. I'm willing to work all night; I'm not afraid of work. If we can go past the appointed hour, that's fine with me.

The Chair (Mr. Peter Tabuns): At 6, it's over.

Mr. Percy Hatfield: It's over at 6. So I guess we then have no decisions from the committee and the committee can't meet next week to discuss these things. Is that what you're saying?

The Chair (Mr. Peter Tabuns): The committee will meet next week at its regular time. Please continue.

Interjections.

The Chair (Mr. Peter Tabuns): Colleagues, Mr. Hatfield has the floor. Mr. Hatfield, if you'll speak to the amendment, I would appreciate it.

Mr. Percy Hatfield: Thank you. I am speaking to the amendment. It's a very important piece of legislation; I agree with the member from Beaches—East York. That's why we so want to speak to the minister about his very important piece of legislation. That's why we have questions for the minister on his very important piece of legislation. That is why we wanted a longer extension period so that people around the province would find out about the bill.

Mr. Arthur Potts: That's why you guys aren't ready to govern. It's easy.

Mr. Percy Hatfield: Yes, we'll have that discussion another day. We won't be baited into any kind of a thing

as we're trying to talk about the minister appearing before a committee and we're being—well, I—

Mr. Arthur Potts: Oh, you're just filibustering. Call a spade a spade.

Interjections.

The Chair (Mr. Peter Tabuns): Okay—

Mr. Percy Hatfield: Chair, I would like to continue, but I understand that the member from Beaches—East York would rather I not.

The Chair (Mr. Peter Tabuns): Can I say, colleagues, that Mr. Hatfield still has the floor. He has up to another 10 minutes. Mr. Hatfield, just to caution, I'm taking notes. To the extent that you're repetitive, you'll be cut off.

Mr. Percy Hatfield: Thank you, Chair. I appreciate that and I appreciate the warning. If I get repetitive, if you could just haul me right back in. This is—I can't state it enough, and I agree completely with the member from Beaches—East York—a very important piece of legislation. We have to get it right. The member knows that and the member respects the role of opposition—well, he should. And the member should know that if the minister were here and if the minister were willing to give us a bit of his very valuable time to talk about his very valuable piece of legislation, we would have some—I would guess, Chair—very valuable answers to some very valuable questions.

1740

Inquiring minds want to know, for example, why the inclusionary zoning aspect of the bill—Speaker, inclusionary zoning, as you know, and the minister if he was here could tell you, is there to help people who need affordable housing find it. In a market like Toronto—what is the waiting list in Ontario for affordable housing? How many hundreds of thousands of people across this province are on a waiting list for affordable housing? How many of the affordable housing units, I would like to ask the minister, is he aware of that need repair? The minister would know—it has been in all the local papers in his riding—that if they don't start putting money into renovations and repair of the affordable housing units, the rate is going to be even worse—the rate of vacancies, of unemployment.

Mr. Arthur Potts: Ask those questions at estimates, Percy. Come on.

The Chair (Mr. Peter Tabuns): Mr. Potts.

Mr. Percy Hatfield: Chair, I know the government member from Beaches—East York is trying to throw me off my stride, and perhaps to a small extent he has succeeded in doing so, because I was about to make a very valuable point, and he has just, for a moment, thrown me off stride. But I will get back to that because I know the member from Beaches—East York would be interested in hearing from the minister himself. Through you Chair, would you not like to have the minister here so you could ask him questions about housing in your area and inclusionary zoning in your area? I would suggest you would.

Mr. Arthur Potts: Chair, do I get a chance to answer now?

The Chair (Mr. Peter Tabuns): You can be on the list of those who wish to speak.

Mr. Percy Hatfield: When I cede the floor, you can get on the speakers' list.

The Chair (Mr. Peter Tabuns): I will add you to that list.

Mr. Hatfield, you still have the floor.

Mr. Percy Hatfield: Thank you, Chair. I appreciate that very much. I respect your rulings, and I respect the fact that if the minister accepted his role when he was appointed and looked at his mandate letter from the Premier about being open and accountable and moving very important legislation through the House in a timely fashion, we would have had agreement at the subcommittee level, which I thought we had. Then, we get here today and we get blindsided by a government committee that says, "No, the minister can't attend," even though it's such a small amount of the minister's very valuable time.

They don't want to take two and a half days to notify people about the bill; they want to cut it down to a day and a half. The minister could be able to answer the people of Ontario, the people who are in dire need of affordable housing, why the government, why his people, under his direction, would say, "We're only going to give them a day to advertise across the province that this bill is going to go to committee hearings" and that they would be invited to attend or they could make a written submission. But they won't know that because the minister's deputies on the other side want, instead, to shut down debate before it even begins, to limit the notification period.

I'd like to ask the minister why, in God's name, he would say that this bill is important and have so many people working on it for so many months and years to get to this point and then say, "But we're not going to tell anybody we're doing it. It's going to be a secret. The only people that will be getting notified of it are the people that have already attended some of the fundraisers with the minister on affordable housing, on inclusionary zoning."

Mr. John Fraser: No.

Mr. Percy Hatfield: Well, it's no secret. It's no secret. You can look at the published list of funders for the Liberal Party of Ontario, and the second- or third-biggest funder are the people that own the apartment buildings. And we're trying to say: Let's get more affordable housing units into those apartment buildings that your funders—

The Chair (Mr. Peter Tabuns): Mr. Hatfield?

Mr. Percy Hatfield: Yes?

The Chair (Mr. Peter Tabuns): Back to the amendment, please.

Mr. Percy Hatfield: Thank you, Chair. Thank you very much, by the way.

I just think the minister could have answered those questions had the minister not been hiding behind some

shield of refusing to attend and answer questions from the official opposition and members of the third party.

I know, as I said, it's no secret in Toronto, where many of the members are from—many of the members of the government party, the greater Toronto area where the minister is from—that affordable housing is a big issue and that there's a need to strengthen legislation around affordable housing. I would like to have asked the minister about some of these things.

We talked at length this afternoon about some of the questions we'd like to put to the minister. I hope there's a Hansard transcript of this and the five members opposite who answer to the minister would make sure that the transcript gets into his hands so that he knows why we would like to hear from him and then not be offended or frightened to appear on his own. He can appear as a delegate and put his name on the list if you don't want to go through and be worried that it might set a precedent.

It doesn't set a precedent. Mr. Hardeman and Mr. Harris have given you how many examples? Twenty or 30 examples of past governments—

Mr. John Fraser: Five or six.

Mr. Percy Hatfield: Five or six? I'll go with five or six. It might have been nine or 10, but I'll go with five or six examples of government ministers appearing in front of a committee to answer questions, and not for 10 or 15 minutes, for much longer periods of time.

Mr. Arthur Potts: Twelve hours at estimates. Go for it.

Mr. Percy Hatfield: Well, estimates is different from passing a bill. You've been around long enough, the member from Beaches—East York. You should know that by now.

The Chair (Mr. Peter Tabuns): Colleagues, we're not having a discussion here. We're having presentations.

Mr. Hatfield has the floor. Please let Mr. Hatfield speak. Mr. Hatfield.

Mr. Percy Hatfield: Thank you, Chair.

The Chair (Mr. Peter Tabuns): And by the way, Mr. Hatfield, you're starting to run out of time.

Mr. Percy Hatfield: Holy moly, I thought we had all night. Liberals don't want to work.

Chair, I won't belabour this because I wouldn't want anybody accusing me of trying to filibuster or anything, but I wanted to drive home the point that the minister has a duty, the minister has an obligation when he or she brings forth a bill to clearly enunciate the principles of that bill and the background to that bill and why it is written in the fashion that it is.

When you incorporate new concepts for the Wynne Liberal government, inclusionary zoning—it's been around forever, but I would have liked to ask the minister. I'd like to commend the minister, as I commended the previous minister, Mr. McMeekin, when he had suggested inclusionary would be in his next bill.

As the cabinet shuffle went, Mr. McMeekin retired from cabinet and Mr. Ballard came in, but the groundwork had been done. Mr. McMeekin did the groundwork. At one point, I saw Mr. McMeekin's name up perhaps

where Mr. Potts is sitting now. I thought Mr. McMeekin could have answered some of the questions today because he was the one who shaped and fashioned this bill. I respect him so much because we worked together on some of the aspects of this bill when I was his critic. That's why I would like to have heard from the minister on why it came down in this form, because I understood from the previous minister that it may have taken another shape.

So who was consulted behind the scenes to get to the legislation that is in front of us? The only person who could really answer that, Chair, would have been the minister. Perhaps—oh, no, I don't want to say that. That's not why. But it would have been good to have the minister here because when you have somebody with Mr. Hardeman's experience on committees such as this and as the critic for this portfolio, he would have led, I'm sure, the discussions into the minister's manoeuvring to get this bill to this stage. I'm sure when the minister would have heard the opposition cries for a longer period of notification or of travelling the bill—I mean, the minister has travelled quite a bit since he's been in office, and he knows that affordable housing is more than a downtown Toronto problem. This problem is right across the province. It's right across the country, to be honest with you. The minister has talked before about a national housing strategy, developing a provincial housing strategy tied into an affordable housing strategy across the country. He has met with the minister.

1750

It's sometimes problematic to get the two sides on. But, Chair, you will remember not that long ago when there was a previous Conservative government in Ottawa, and the ministers would stand up and say, "If we only had a partner in Ottawa that would agree with us, we'd have all this stuff done." Well, now they do have a federal cousin in Ottawa, and now they are having discussions about coming up with a national housing strategy. I would hope inclusionary zoning and co-operative housing would be major, key components in a national housing strategy, and I would have loved to have asked the minister—

The Chair (Mr. Peter Tabuns): Mr. Hatfield, I'm sorry to say that you're out of time.

I have Mr. Fraser and Mr. Potts. Mr. Hardeman, you had indicated an interest in speaking as well?

Mr. Ernie Hardeman: Yes.

The Chair (Mr. Peter Tabuns): Mr. Fraser.

Mr. John Fraser: I very much appreciate the members' comments, and have no doubt of the sincerity of any of the members in the opposition with the arguments that they're making.

I do want to remind the committee that about an hour and 15 minutes ago I did suggest an amendment that extended the date by a day, to give a full two and a half days. I did suggest that we would be open to doing that, because that was raised, I believe, in debate, the concern over the length of notice, and we would be prepared to extend that. As it looks right now, we won't be able to

extend that—that's moot—so it appears as though it will be delayed.

I do want to let you know that everything that you said today, and the concerns that you raise, I'll bring back to the minister. I don't agree with you, and I don't think we needed to use as much time as we did in debate, respectfully. I think we could have extended the public notice and got under way with this bill.

Again, that offer is out there. If the other side would like to amend my motion to the 18th and then pass it before 6 o'clock—

The Chair (Mr. Peter Tabuns): Mr. Fraser, I have to ask you to actually address the amendment on the floor.

Mr. John Fraser: Okay. Thank you very much. I won't be supporting that amendment, as I said earlier. I appreciate the members' comments.

I did earlier—and I know that it's at your discretion—call for the vote. I would do that again, and respect whatever your opinion is, obviously, Mr. Chair. That's all I have to say.

The Chair (Mr. Peter Tabuns): Okay. I thank you for that.

I have Mr. Potts and then Mr. Hardeman, who had asked to speak before we go to the vote.

Mr. Arthur Potts: In the interests of time, I will pass.

The Chair (Mr. Peter Tabuns): Mr. Potts, you pass? Mr. Hardeman and then Mr. Hatfield.

Mr. Ernie Hardeman: I think, as was mentioned, there was some debate about how long and how many people we have pointed out where there was precedent for having the minister appear for this committee. I just want to go quickly through a few of the ones that I hadn't got to mention before. I think, really, what I'm trying to impress upon the government here is that this isn't just about the committee. This is about the ministers who do it and, in fact, appreciate the opportunity to be able to present, not only to this committee but to the public, what is in their bill.

Bill 107, the Human Rights Code Amendment Act, Michael Bryant, Attorney General: During the meeting, he said, "I want to start by thanking the Chair and the committee for giving me the opportunity to come here to provide an update on the bill and to provide you with amendments proposed to Bill 107."

Bill 53, the Stronger City of Toronto for a Stronger Ontario Act, 2006: Minister John Gerretsen, Minister of Municipal Affairs and Housing, appeared before the general government committee on April 26. During the committee, he said, "Let me just say that this has been an exciting process. I look forward to the deliberations that this committee will be involved in. I wish you well in your deliberations and hope that the bill that will come out of this committee will only strengthen what we regard as an already very strong bill for the city of Toronto and for the province of Ontario."

Again, he was asked to appear, and he pointed out the importance of his appearance.

Bill 169, the Transportation Statute Law Amendment Act, 2005: Harinder Takhar, Minister of Transportation,

appeared before the general government committee on September 14, 2005. During the committee, he said, "Madam Chair, I want to thank this committee for allowing me to express my views about this important bill. We would be glad to hear your comments now and answer any questions you may have."

The subcommittee report read: "That the Minister of Transportation be invited to make a 20-minute presentation before the committee on September 14, 2005, followed by a five-minute question/comment period from each of the opposition critics, followed by a 20-minute technical briefing by ministry staff, followed by a further five-minute question/comment period from each of the opposition critics."

At that point, the government thought it was very important to hear from the minister to the committee, and the committee back to the minister. They thought that was important.

Bill 155, the Family Responsibility and Support Arrears Enforcement Amendment Act: We all know about the FRO challenges that we've faced over the years. Every one of us has had calls in our office about that. Sandra Pupatello, Minister of Community and Social Services, appeared before the general government committee on May 9, 2005. During the committee, she said, "Thank you for the opportunity to speak to all members of the committee."

The subcommittee report read, "That the Minister of Community and Social Services be invited to make a 10-minute presentation before the committee on May 9, 2005, followed by a 10-minute technical briefing by ministry staff, followed by a 10-minute question/comment period from the opposition members of the committee."

Bill 136, the Places to Grow Act, 2005—again, that's not that long ago. David Caplan, Minister of Public Infrastructure Renewal, appeared before the general government committee on April 18. During the committee, he said, "Madam Chair and my esteemed colleagues, I truly do appreciate this opportunity to appear before you and introduce committee members to Bill 136, the proposed Places to Grow Act."

Mr. Chair, I want to point out that I'm sure that Mr. Ballard, the Minister of Housing, would say similar things about this bill if he was allowed to come here, but it appears that the government has decided that ministers cannot be allowed to go out and speak to committees or to the public about their bills; that, in fact, it has to be sanitized to make sure that it only goes out the way that they've already outlined it. The minister might get tripped up if he had to answer questions to the committee.

Bill 135, the Greenbelt Act: John Gerretsen, Minister of Municipal Affairs and Housing, appeared before the general government committee on January 31, 2005. During committee, he said, "Good morning. I've been looking forward to this day for a long time, because it's very important that the public consultation process continue with respect to this bill. I'm very pleased to see everyone here again. Many of you I haven't seen, I guess, since the Christmas break.

"Let me just start off by saying that I'm pleased to appear before the Standing Committee on General Government and to have this opportunity to discuss our government's bill, the proposed Greenbelt Act, 2005."

Mr. Chairman, I could go on for many more hours, but I see that our time is running out, because the committee is about to end, but I want to say—

The Chair (Mr. Peter Tabuns): Not quite yet, Mr. Hardeman.

Mr. Ernie Hardeman: Oh, I was reading the clock up there, Mr. Chair. If I have more time, I will use more time.

The Chair (Mr. Peter Tabuns): You have a few more minutes.

Mr. Ernie Hardeman: For the Minister of Municipal Affairs and Housing, the subcommittee report read, "That the Minister of Municipal Affairs and Housing be invited to make a 30-minute presentation before the committee the morning of January 31, 2005, followed by a 30-minute technical briefing by ministry staff."

Bill 26, the Strong Communities (Planning Amendment) Act, 2003: Minister John Gerretsen, Minister of Municipal Affairs and Housing, appeared before the committee on September 20. During the committee, he said, "Good morning, everyone. Let me, first of all, say how pleased I am to be here this morning and also say how important the committee work of the Legislative Assembly is. I always enjoyed working on these committees for the last eight years, and I certainly hope that I will enjoy this morning as much as I did in the past, sitting on the other side. But it's nice to see everyone here. Of course, I've seen my caucus members a number of times this summer, but it's also nice to see the members of the opposition here to discuss this particular bill."

The subcommittee report read, "That the Minister of Municipal Affairs and Housing be invited to make a half-hour presentation before the committee the morning of September 20, 2004, followed by a half-hour technical briefing by the ministry staff." The subcommittee report was signed by none other than Lou Rinaldi.

Bill 27, the Greenbelt Protection Act—we were talking earlier about precedents, and there is no end to them. I'll just leave it as only five or six precedents of having the minister appear. I want to put that in. John Gerretsen again, Minister of Municipal Affairs of Housing—these all relate to the same ministry principals as we are presently talking about—appeared before the general government committee on May 12, 2004.

The subcommittee report read, "That the committee invite the Minister of Municipal Affairs and Housing to make a 15-minute presentation before the committee on May 12, 2004, and that ministry staff provide the committee with a 30-minute technical briefing, followed by a 30-minute question and answer period" for the committee members.

Bill 31, the Health Information Protection Act, 2003: George Smitherman, Minister of Health and Long-Term Care, appeared before the general government committee. The subcommittee read, "That the committee

invite the Minister of Health to make a 30-minute presentation before the committee, that ministry staff be available during the minister's presentation, and that the official opposition and the New Democratic Party member be allotted five minutes each to make a statement and/or ask questions."

Again—

The Chair (Mr. Peter Tabuns): Mr. Hardeman, with that, we have run out of time.

Members of the committee, the committee adjourns until 2 p.m. next Monday.

The committee adjourned at 1800.

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